

REMARKS

Entry of the foregoing amendments is respectfully requested.

Summary of Amendments

By the foregoing amendments claims 12, 36, 41, 44 and 49 are amended, whereby claims 12-17, 19, 20, 23, 24, 26, 32, 33, 35-37 and 41-55 will continue to be pending, with claims 12, 36, 41 and 44 being independent claims.

The present amendments are of essentially editorial nature. In this regard, it is noted that the Examiner takes the position that the deleted term “low volatility” is a relative term (see page 3, first paragraph of present Office Action). In view thereof, this term is unable to contribute to a definition of the claimed subject matter and can thus be dispensed with.

Summary of Office Action

As an initial matter, Applicants note with appreciation that the Examiner appears to have withdrawn all art-based rejections which are set forth in the previous Office Action.

Claims 12-17, 19, 20, 23, 24, 26, 32, 33, 35-37 and 41-55 are rejected under 35 U.S.C. § 112, second paragraph.

Response to Office Action

Reconsideration and withdrawal of the rejections of record are respectfully requested in view of the foregoing amendments and the following remarks.

Claims 12-17, 19, 20, 23, 24, 26, 32, 33, 35-37 and 41-55, i.e., all claims of record, are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The Examiner maintains the position that due to the simultaneous use of the language “consisting essentially of” and the terms “including” or “comprising” in connection with the oil phase recited therein, the scope of independent claims 12, 36, 41 and 44 allegedly is indefinite. The Examiner further takes the position that the term “low volatility” used in these independent claims is a relative term.

Although Applicants still believe that this rejection is unwarranted for at least all of the reasons which are set forth in the responses to the previous Office Actions, merely in order to advance the prosecution of the present application to allowance, Applicants have amended the present independent claims (and dependent claim 49) in a way which addresses the Examiner's concerns and clearly serves to overcome this rejection.

Applicants submit that in view of the claims submitted herewith, withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is warranted.

CONCLUSION

In view of the foregoing, it is believed that all of the claims in this application are in condition for allowance, which action is earnestly solicited. If any issues yet remain which can be resolved by a telephone conference, the Examiner is respectfully invited to contact the undersigned at the telephone number below.

Respectfully submitted
Anja EITRICH et al.



Neil F. Greenblum
Reg. No. 28,394

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191


Heribert F. Muensterer
Reg. No. 50,417